

PWN

Security of Sirhan Evidence Defended

County Clerk Says He Has Discovered No Tampering

BY DAVE SMITH

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No evidence of tampering has been found nor have unauthorized persons been permitted to handle key exhibits from the Sirhan-Bishara Sirhan murder trial, Los Angeles County Clerk William G. Sharp asserted Tuesday.

Sharp made his conclusions after reviewing strict security measures he said were employed to protect trial material in custody of his office.

In a letter to the Board of Supervisors, Sharp offered his "complete cooperation" with the district attorney's office in a probe of possibilities that evidence in the assassination of Sen. Robert F. Kennedy—including the fatal bullets, murder weapon and the senator's coat—may have been tampered with since Sirhan's conviction.

Sharp conceded that the exhibits have been viewed, but said he has no evidence that anyone but attorneys connected with the case, or their agents, have had the opportunity to handle the key exhibits themselves.

"It's absolutely true the exhibits have been available," Sharp said, "and everybody had a right to see them—the press and everybody else. It's a question whether they had access to certain 'hard' exhibits."

Please Turn to Page 21, Col. 2

Continued from Third Page

After the Sirhan trial concluded, Superior Judge Herbert V. Walker ordered certain key exhibits "sealed" by a court order. But, Sharp said, the court order permitted "counsel of record" and attorneys for both the prosecution and defense, as well as agents for those attorneys, access to the crucial exhibits.

Sharp said a list of persons asking to examine the exhibits has been kept by his office. He estimated that several dozen names were in the records. Among them, he said, were those of Luke McKissack, Sirhan's defense counsel in his automatic appeal before the Supreme Court, and William Harper, criminalist and ballistics expert who has contended that ballistics work in the original investigation was done improperly. Sharp said Harper was granted access as an agent of McKissack.

'Strictest Security'

Sharp told the supervisors:

"At the outset of the case I instructed the criminal division of my office to provide the strictest security to Sirhan exhibits, and I personally inspected the security measures which were instituted.

"Prior to the trial, the exhibits were held in a walk-in vault to which only exhibit clerks had access—and within a safe within that vault to which only the chief, the assistant chief and the supervisor of exhibits had access.

"During the course of the trial the exhibits were transferred to the courtroom where they were given special security by the courtroom clerk. At the conclusion of the trial the exhibits were transferred back to the vault and placed under special security."

Breach Possible

Sharp admitted that special security could have been breached in the Sirhan evidence, but said he has no knowledge of it. In normal cases, he said, the public is entitled to view evidence in any case where no court order forbids it. But even then the evidence is restricted to an area kept under close surveillance.

Dist. Atty. Joseph P. Busch Jr. revealed over the weekend that his office was "terribly concerned" over evidence that the fatal bullets and the gun in the Kennedy case might have been deliberately or inadvertently tampered with.

This possibility could obscure an earlier investigation into charges that ballistics work in the Sirhan trial violated scientific procedure.

Those charges, based on Harper's private investigation, were lodged by attorney Barbara Warner Blehr in an effort to block the appointment of police criminalist DeWayne Wolfer as head of the Los Angeles Police Department crime lab.

Harper and Mrs. Blehr have questioned whether there might have been a second gunman firing at Kennedy in addition to Sirhan—a question which only ballistics investigation conceivably could support.

Sharp told the supervisors that his office has more than 160,000 criminal exhibits on hand at any given time and takes in about 50,000 each year.

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